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Filing date: **09/01/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92057462
Party	Plaintiff CytoSport, Inc.
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Date	09/01/2015
Attachments	Evolv Motion.pdf(15712 bytes)

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U.S. Trademark Registration Number 3,842,462

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

CytoSport, Inc. Petitioner, v. Evolv Health, LLC, Respondent.	Cancellation No. 92057462
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STIPULATED MOTION TO SUSPEND PROCEEDINGS

Petitioner CytoSport, Inc. and Respondent Evolv Health, LLC by and through their attorneys, hereby stipulate to suspend the above captioned case for a time period of 60 days. The parties have agreed to the 60 day suspension in order to give the parties sufficient time to discuss a potential settlement agreement. If granted, the new deadlines will be as follows:

Time to Answer:	CLOSED
Deadline for Discovery Conference:	CLOSED
Discovery Opens:	CLOSED
Initial Disclosures Due:	11/02/2015
Expert Disclosures Due:	03/01/2016
Discovery Period to Close:	03/31/2016

Plaintiff Pretrial Disclosures:	05/15/2016
Plaintiff's 30-day Trial Period Ends:	06/29/2016
Defendant's Pretrial Disclosures:	07/14/2016
Defendant's 30-day Trial Period ends:	08/28/2016
Plaintiff's Rebuttal Disclosures:	09/12/2016
Plaintiff's 15-day Rebuttal Period Ends:	10/12/2016

DATED this 1st day of September, 2015.

Respectfully submitted,

THORPE NORTH & WESTERN, LLP

/Eric E. Westerberg/

Peter M. de Jonge

Jed H. Hansen

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Attorneys for Petitioner, CytoSport, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **Stipulated Motion to Suspend Proceedings** was served upon the Respondent at the following by the methods indicated below:

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| <input checked="checked" type="checkbox"/> | Electronic Mail |
| <input type="checkbox"/> | United States Mail, First Class |
| <input type="checkbox"/> | Overnight Delivery |
| <input type="checkbox"/> | Fax Transmission |

DATED this 1st day of September, 2015.

/Kelley Warner/
Kelley Warner